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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/528,418

03/17/2005

Raymond David Lohr

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09/19/2006

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EXAMINER

JENKINS, JERMAINE L

ART UNIT

PAPER NUMBER

2855

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/528,418 | Applicant(s) LOHR ET AL. | |
| | Examiner Jermaine Jenkins | Art Unit 2855 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5 and 13 is/are rejected.
- 7) ☒ Claim(s) 2,4 and 6-12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>02172005</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 5 & 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Bruns et al (6,293,585).

In regards to claim 1, Bruns et al teaches a device for measuring torsional distortion of a body having a first and second clip portions (27 & 29, i.e. mounting holes) having a central part and two legs (25 & 31, i.e. arms) depending from the central part, each leg (27 & 29) having adjacent a free end thereof at least one of a groove or a projection for engaging at least one of a respective projection or groove provided on or in a body to mount the clip portion (27 & 29) on the body rotationally fast therewith (Column 4, lines 1-26); a bridge (37) interconnecting the clip portions (27 & 29), the bridge (37) being less stiff than the clip portions (27 & 29) whereby relative rotational displacement of the clip portions (27 & 29) caused by torsional distortion of the body will cause proportional deflection of the bridge (37) and a measuring means (43 & 45, i.e. transducers) for measuring the deflection of the bridge (37) (Abstract; Column 4, lines 16-26; See Figures 2 & 3A).

With respect to claim 3, Bruns et al teaches wherein the means for measuring deflection of the bridge (37) being mounted on the bridge (37) (Abstract; See Figure 2).

With respect to claims 5 & 13, Bruns et al teaches the clip portions (27 & 29) and the bridge (37) being an integral structure (See Figure 1).

Allowable Subject Matter

3. Claims 2, 4 & 6-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: The prior art does not disclose or suggest a device for measuring torsional distortion of a body having an included angle of the ridges is less than an included angle of the grooves and the grooves and ridges being shaped so that each ridge engages each groove along two lines of contacts spaced from a base of the groove as positively recited in the claims in combination with the remaining limitations of claim 1.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Patent 6,067,858 (Clark et al) – Micromachined Vibratory Rate Gyroscope

Art Unit: 2855

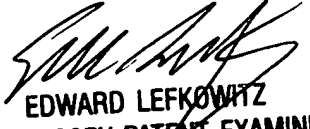
- U.S. Patent 5,585,571 (Lonsdale et al) – Method and Apparatus for Measuring Strain

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermaine Jenkins whose telephone number is 571-272-2179. The examiner can normally be reached on Monday-Friday 9am-530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jermaine Jenkins
A.U. 2855


EDWARD LEFKOWITZ
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